

**RESOLUTION C-2014-3**

**INTRODUCING: O'Daniel**  
**COMMITTEE: Finance**

**A Resolution of the Common Council of the City of Evansville Correcting  
a technical error related the Declaration of an Economic Revitalization Area for Property  
Tax Phase-In for Redevelopment/Rehabilitation of Real Property and for the Acquisition  
and  
Installation of New Information Technology Equipment,**

**Professional Transportation, Inc. (PTI)  
(3700 E Morgan, Evansville, IN)**

**WHEREAS, Professional Transportation, Inc. (PTI)** (the "Applicant") made application for Economic Revitalization Area designation, pursuant to IC 6-1.1-12.1 et seq and Evansville Common Council Resolution C-2002-3 As Amended (the "Tax Phase-In Resolution"), for the property located at: See Section 1; and

**WHEREAS,** heretofore under provisions of Resolution C-2002-3 As Amended, the Common Council of the City of Evansville found the above-described property to meet the requirements of an Economic Revitalization Area pursuant to IC 6-1.1-12.1 et seq and declared said property to be an Economic Revitalization Area; and

**WHEREAS,** notice of the adoption and substance of the above mentioned resolution was published in accordance with IC 5-3-1 and the Common Council of the City of Evansville has conducted a public hearing and Confirmed the Declaration in Resolution C-2012-29 dated 10/22/2012 determining that the qualifications for an economic revitalization area had been met; and

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Evansville as follows:

**Section 1.** The property known as 3700 E Morgan, Evansville, IN and more particularly described as follows:

82-06-14-017-153.007-027 - S PT SUB SW PT LOT 6 14-6-10

has been found to meet the qualifications for an economic revitalization area as outlined in IC 6-1.1-12.1.

**Section 2.** Resolution **C-2012-24** was adopted by the Common Council on October 22, 2012, is hereby amended to include qualifying personal property and/or equipment as part of the SB-1 submitted and installed commencing July 2012.

**Section 3.** This Resolution shall be in full force and effect from and after its passage by the Common Council, signing by the Mayor, and advertisement, if any, as required by law.

**FILED**

**JAN 22 2014**

*Maria W. Winkler*  
CITY CLERK


**PASSED BY** the Common Council of the City of Evansville, Indiana, on the 10<sup>th</sup> day of February, 2014, on said day signed by the President of the Common Council and attested by the City Clerk.




President of the Common Council, John Friend

ATTEST:   
Laura Windhorst, City Clerk DEPUTY

Presented by me, the undersigned City Clerk of the City of Evansville, Indiana, to the Mayor of said city, this 11<sup>th</sup> day of February, 2014, for his consideration and action thereon.

  
Laura Windhorst, City Clerk DEPUTY  
City of Evansville, Indiana

Having examined the foregoing resolution, I do now, as Mayor of the City of Evansville, Indiana, approve said resolution and return the same to the City Clerk this 12<sup>th</sup> day of February, 2014.

  
Lloyd Winnecke, Mayor  
City of Evansville, Indiana

APPROVED AS TO FORM  
BY TED ZIEMER, CORPORATION COUNSEL

## Report to Mayor and City Council | 2014



Council Meeting 1/27/2014

**SUBJECT:** On October 22, 2012, Professional Transportation, Inc. applied for and received tax phase-in incentive under Resolution C-2012-29 (the confirmatory resolution). The tax phase-in was granted based on 100 new jobs and an investment of approximately \$2.9 million over a 4 year period. PTI is in compliance with the jobs and investment. Resolution C-2014-3 is required to clarify dates for equipment installation and properly place the property within the scope of the tax phase-in authority.

**Fiscal Impact:** None. No investment was made prior to submittal of the application for incentive support of the project. The project has already received the tax phase-in. This amendment clears a technical issue related to the dates and timing of the project.

**Recommendation:** It is the recommendation of the Growth Alliance to approve the technical Resolution C-2014-3 so that the company may receive the incentives previously approved by the City Council in support of additional jobs and investment that was granted by C-2012-29 dated 10/22/2012.

**Attachments:**

Resolution C-2014-3  
C-2012-29  
Original narrative  
Form CF-1/PP

**For additional information contact:**

Chris Kinnett, Business Development Director  
Growth Alliance for Greater Evansville  
812 492 4384  
chris@growthallianceevv.com

**FILED**

JAN 22 2014

*Anna Winkler*  
CITY CLERK

**A Resolution of the Common Council of the City of Evansville Confirming  
the Declaration of an Economic Revitalization Area for Property Tax Phase-In  
for Redevelopment/Rehabilitation of Real Property and for the Acquisition and  
Installation of New Information Technology Equipment**

**Professional Transportation, Inc. (PTI)  
(3700 E Morgan, Evansville, IN)**

**WHEREAS, Professional Transportation, Inc. (PTI)** (the "Applicant") has made application for Economic Revitalization Area designation, pursuant to IC 6-1.1-12.1 et seq and Evansville Common Council Resolution C-2002-3 As Amended (the "Tax Phase-In Resolution"), for the property located at: See Section 1; and

**WHEREAS**, heretofore under provisions of Resolution C-2002-3 As Amended, the Common Council of the City of Evansville found the above-described property to meet the requirements of an Economic Revitalization Area pursuant to IC 6-1.1-12.1 et seq and declared said property to be an Economic Revitalization Area; and

**WHEREAS**, notice of the adoption and substance of the above mentioned resolution has been published in accordance with IC 5-3-1 and the Common Council of the City of Evansville has conducted a public hearing as of the date hereof to determine whether the qualifications for an economic revitalization area have been met; and

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Evansville as follows:

**Section 1.** The property known as 3700 E Morgan, Evansville, IN and more particularly described as follows:

82-06-14-017-153.007-027 - S PT SUB SW PT LOT 6 14-6-10

have been found to meet the qualifications for an economic revitalization area as outlined in IC 6-1.1-12.1.

**Section 2.** Resolution **C-2012-24** adopted by the Common Council on October 22, 2012, is hereby confirmed.

**Section 3.** The Statement of Benefits submitted by and dated October 3, 2012, is hereby approved.

**Section 4.** This Resolution shall be in full force and effect from and after its passage by the Common Council, signing by the Mayor, and advertisement, if any, as required by law.

October 3, 2012

**Re: RESOLUTION C-2012- \_\_\_\_\_**  
**Economic Development Project: Professional Transportation, Inc.**

**Attached** please find resolutions related to the economic development incentive offer to United Companies' subsidiary, Professional Transportation, Inc. (PTI) that resulted in the company's decision to invest \$5 million and add 100 jobs in Evansville.

- The first is a **Preliminary Resolution for Declaration of an Economic Revitalization Area** to allow 10 year tax phase-in for the **investment in new information technology equipment and 10 year tax phase-in on investment in real estate upgrades/additions at the 3700 E. Morgan Avenue location.**
- The second is a **Resolution for a Training Grant applicable to training of new hires who are Evansville residents** to fill the newly created jobs.

Also **attached**, please find the:

- **Application for Economic Revitalization Area Designation**
- **Application Scoring for Real Property Investments**
- **Application Scoring for Personal Property Investments**
- **Project Overview (Narrative) Letter from PTI**
- **IEDC (state) Application for Incentives**
- **IEDC Incentive Offer Letter**

United Companies employs 4,100 people and operates in 26 states. The company has developed proprietary software that supports the railroad industry with logistical transportation. United Companies' subsidiary, Professional Transportation, Inc. (PTI), has acquired the assets of a company with headquarters in Bismarck, North Dakota (Coach Transportation) that will expand their U. S. footprint and provide another railroad as a new customer.

PTI has accepted the state and local incentive offers that helped them to make the decision to relocate 100 jobs from ND to Evansville, pending City Council approval as required in a public forum.

The state incentive offer is an \$85,000 grant from the Skills Enhancement Fund and up to \$675,000 in Economic Development for a growing Economy (EDGE) tax credits over a 10 year period (2012-2021).

The local incentive package includes **10 year tax phase-in** on the qualifying investment in computer equipment and software, and the real estate investment to expand their headquarters, in addition to a **50/50 cost share training grant of up to \$500 per Evansville resident hired with a maximum of \$30,000.**

- The value of the incentive package to the company is \$356,700 over the next 10 years.
- The value to the community in terms of economic impact is \$127,600,000 over the next 10 years.
- 100 new jobs will be added in Evansville
- 20 of those jobs will pay an average of \$22/hr plus benefits; 2 will pay \$50/hr plus benefits; and the remaining 78 will start at \$11-12/hr plus benefits. This starting scale will increase as the economy recovers and technological advancements continue with related skills advancement of the employees.
- \$2.9M will be invested in new personal property over the next 4 years; and \$2.1 million will be invested in new construction, adding on to the Morgan Avenue headquarters.

United Companies is headquartered in Evansville, and is owned by the Ron Romain family that has, and continues to invest heavily in projects that improve our community, e.g. Harrison High School's Athletic Field/Outdoor Stadium and the United Leasing Professional Golf Championship.

**Phase-in application scoring was 95 for both the personal property and real estate investment.**

City Council has asked about attaching claw-back terms and conditions to tax phase-in incentives for economic development. This element should be considered on a case-by-case basis to recognize and address the competitive situation that is different for each economic development project. The current compliance process allows Council to review the actual investment and job additions each year before that year's abatement is applied. The claw-back would be an additional provision to address the situation where the company would cease operations in Evansville during the abatement period.

PTI is part of a family-owned company that has been in Evansville for 42 years. Ron Romain and his family have contributed so much to the community as employers and philanthropists. VP Brad Harrison confirmed that any shutdown of operations would be because of an unforeseen and catastrophic event in the industry, not to move jobs to another community. Therefore, I would recommend that any claw-back provision recognize this company's history in and commitment to Evansville.

The recommendation is that the claw-back provision allows the City Council to consider asking for repayment of the abated taxes for this project in the event that PTI closes operations in Evansville during the 10 year abatement period, specifically for the purpose of relocating those same operations to another community.

City Attorney Ted Ziemer has recommended that claw-back provisions be addressed in separate agreements between the City and the Company, i.e. not as part of the economic revitalization area resolutions. With Council approval of the recommendation, a separate agreement shall be prepared to cover the Council's requested claw-back provision.

*Submitted by: The Growth Alliance for Greater Evansville, Inc.*

**COMPLIANCE WITH STATEMENT OF BENEFITS  
PERSONAL PROPERTY**

State Form 51765 (R2 / 5-13)

Prescribed by the Department of Local Government Finance

FORM CF-1 / PP

- INSTRUCTIONS:**
1. Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
  2. This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between March 1, and May 15, of each year, unless a filing extension under IC 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between March 1, and the extended due date of each year.
  3. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance (CF-1).

SECTION 1		TAXPAYER INFORMATION						
Name of taxpayer Professional Transportation, Inc.								
Address of taxpayer (number and street, city, state, and ZIP code) 3700 E. Morgan Ave., Evansville, IN 47715								
Name of contact person Ken Francis		Telephone number ( 812 ) 485-3676						
SECTION 2		LOCATION AND DESCRIPTION OF PROPERTY						
Name of designating body Common Council of the City of Evansville		Resolution number C-2012-25						
Location of property 3700 E. Morgan Ave., Evansville, IN 47715		County Vanderburgh						
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. Acquisition and installation of new computing equipment and related IT hardware and software to support logistics operations to be conducted by 100 new employees in Evansville.		DLGF taxing district number 82-026						
		Estimated starting date (month, day, year) 07/01/12						
		Estimated completion date (month, day, year) 12/31/16						
SECTION 3		EMPLOYEES AND SALARIES						
EMPLOYEES AND SALARIES		AS ESTIMATED ON SB-1	ACTUAL					
Current number of employees		193.00	193.00					
Salaries		NOT ESTIMATED	5,860,779.00					
Number of employees retained			183.00					
Salaries			5,647,029.00					
Number of additional employees		100.00	42.00					
Salaries		3,744,000.00	1,524,597.00					
SECTION 4		COST AND VALUES						
	MANUFACTURING EQUIPMENT	R & D EQUIPMENT	LOGIST DIST EQUIPMENT	IT EQUIPMENT				
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project								
Plus: Values of proposed project							2,642,000.0	2,642,000.0
Less: Values of any property being replaced								
Net values upon completion of project							2,642,000.0	2,642,000.0
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project								
Plus: Values of proposed project					254,712.00	254,712.00	869,686.00	660,722.00
Less: Values of any property being replaced								
Net values upon completion of project								
NOTE: The COST of the property is confidential pursuant to IC 6-1.1-12.1-5.6 (d).								
SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER						
WASTE CONVERTED AND OTHER BENEFITS		AS ESTIMATED ON SB-1	ACTUAL					
Amount of solid waste converted		0.00	0.00					
Amount of hazardous waste converted		0.00	0.00					
Other benefits:		0.00	0.00					
SECTION 6		TAXPAYER CERTIFICATION						
I hereby certify that the representations in this statement are true.								
Signature of authorized representative <i>Ken Francis</i>		Title Tax Accountant	Date signed (month, day, year) 6/14/13					

RECEIVED  
BY CLERK

**OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM OF-1) THAT WAS APPROVED AFTER JUNE 30, 1991.**

**INSTRUCTIONS: (IC 6-1.1-12.1-5.9)**

1. This page does not apply to a Statement of Benefits filed before July 1, 1991; that deduction may not be terminated for a failure to comply with the Statement of Benefits.
2. Within forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits.
3. If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. If a notice is mailed to a property owner, a copy of the written notice will be sent to the Township Assessor and the County Auditor.
4. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits.
5. If the designating body determines that the property owner has **NOT** made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the County Auditor; and (3) the Township Assessor.

We have reviewed the CF-1 and find that:

- ☒ the property owner IS in substantial compliance
- ☐ the property owner IS NOT in substantial compliance
- ☐ other (specify) \_\_\_\_\_

Reasons for the determination (attach additional sheets if necessary)

Signature of authorized member Constance Robinson Date signed (month, day, year) 6-24-13

Attested by: Lynn Becker Designating body CITY COUNCIL

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance.

Time of hearing ☐ AM ☐ PM Date of hearing (month, day, year) \_\_\_\_\_ Location of hearing \_\_\_\_\_

**HEARING RESULTS (to be completed after the hearing)**

- ☐ Approved ☐ Denied (see instruction 5 above)

Reasons for the determination (attach additional sheets if necessary)

Signature of authorized member \_\_\_\_\_ Date signed (month, day, year) \_\_\_\_\_

Attested by: \_\_\_\_\_ Designating body \_\_\_\_\_

**APPEAL RIGHTS (IC 6-1.1-12.1-5.9(e))**

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.





# COMPLIANCE WITH STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51766 (R3 / 2-13)

Prescribed by the Department of Local Government Finance

20 13 PAY 20 14

FORM CF-1 / Real Property

## PRIVACY NOTICE

The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12.1-5.1 (c) and (d).

### INSTRUCTIONS:

1. This form does not apply to property located in a residentially distressed area or any deduction for which the Statement of Benefits was approved before July 1, 1991.
2. Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).
3. This form must accompany the initial deduction application (Form 322/RE) that is filed with the county auditor.
4. This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 15, or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1.1-12.1-5.1(b))
5. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).

SECTION 1 TAXPAYER INFORMATION		
Name of taxpayer Professional Transportation, Inc.	County Vanderburgh	
Address of taxpayer (number and street, city, state, and ZIP code) 3700 E. Morgan Ave., Evansville, IN 47715	DLGF taxing district number 82-026	
Name of contact person Ken Francis	Telephone number ( 812 ) 485-3676	
SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY		
Name of designating body Common Council of the City of Evansville	Resolution number C-2012-25	Estimated start date (month, day, year) 07/01/12
Location of property 3700 E. Morgan Ave., Evansville, IN 47715	Actual start date (month, day, year) 07/01/12	
Description of real property improvements 10,000 SF Addition to existing building and upgrades to existing building needed to accommodate 100 New Employees	Estimated completion date (month, day, year) 12/31/16	
		Actual completion date (month, day, year) In Process
SECTION 3 EMPLOYEES AND SALARIES		
EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	193	193
Salaries	Not Estimated	5,850,779
Number of employees retained	Not Estimated	183
Salaries	Not Estimated	5,647,029
Number of additional employees	100	42
Salaries	3,744,000	1,524,597
SECTION 4 COST AND VALUES		
COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values before project		
Plus: Values of proposed project	2,050,000	2,050,000
Less: Values of any property being replaced		
Net values upon completion of project	2,050,000	2,050,000
ACTUAL	COST	ASSESSED VALUE
Values before project	0	0
Plus: Values of proposed project	130,717	Unknown
Less: Values of any property being replaced	0	0
Net values upon completion of project	130,717 - Still in Process	Unknown
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER		
WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted	0	0
Amount of hazardous waste converted	0	0
Other benefits:	0	0
SECTION 6 TAXPAYER CERTIFICATION		
I hereby certify that the representations in this statement are true.		
Signature of authorized representative <i>Ken Francis</i>	Title Tax Accountant	Date signed (month, day, year) 6/14/13

**OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM GF-1)  
THAT WAS APPROVED AFTER JUNE 30, 1991**

INSTRUCTIONS: (IC 6-1.1-12.1-5.1 and IC 6-1.1-12.1-5.9)

1. Not later than forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits (Form SB-1/Real Property).
2. If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. The date of this hearing may not be more than thirty (30) days after the date this notice is mailed. A copy of the notice may be sent to the county auditor and the county assessor.
3. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable efforts to substantially comply with the Statement of Benefits (Form SB-1/Real Property) and whether any failure to substantially comply was caused by factors beyond the control of the property owner.
4. If the designating body determines that the property owner has **NOT** made reasonable efforts to comply, then the designating body shall adopt a resolution terminating the property owner's deduction. If the designating body adopts such a resolution, the deduction does not apply to the next installment of property taxes owed by the property owner or to any subsequent installment of property taxes. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.

We have reviewed the CF-1 and find that:

- ☒ the property owner IS in substantial compliance
- ☐ the property owner IS NOT in substantial compliance
- ☐ other (specify) \_\_\_\_\_

Reasons for the determination (attach additional sheets if necessary)

Signature of authorized member Constance Robinson Date signed (month, day, year) 6-24-13

Attested by: Lynn Buck Designating body CITY COUNCIL

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance. (Hearing must be held within thirty (30) days of the date of mailing of this notice.)

Time of hearing ☐ AM ☐ PM Date of hearing (month, day, year) \_\_\_\_\_ Location of hearing \_\_\_\_\_

**HEARING RESULTS (to be completed after the hearing)**

☐ Approved ☐ Denied (see instruction 5 above)

Reasons for the determination (attach additional sheets if necessary)

Signature of authorized member \_\_\_\_\_ Date signed (month, day, year) \_\_\_\_\_

Attested by: \_\_\_\_\_ Designating body \_\_\_\_\_

**APPEAL RIGHTS (IC 6-1.1-12.1-5.9(o))**

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.